

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Ashmeen Modikhan,

Debtor.

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Ashmeen Modikhan,

Plaintiff

v.

Chapter 7

Case No.: 19-46591-jmm

Adv. Pro No. 21-01009-jmm

DARREN ARONOW, an individual Esq.,  
HANIN R SHADOOD, an individual Esq.  
and as an employee of the Chapter 13 Trustee  
in dual capacities, COURTNEY R. WILLIAMS,  
an individual Esq., FAY SERVICING, LLC,  
a business entity, RUSHMORE LOAN  
MANAGEMENT SERVICES, INC., a  
business entity, MARIANNE DEROSA,  
an individual Esq. Chapter 13 Trustee, and  
in an individual Esq. capacity, the  
UNITED STATES OF AMERICA, and  
DOES 1-100, inclusive,

Defendants.

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**ORDER DENYING PLAINTIFF’S MOTION FOR SANCTIONS AND  
DEFAULT JUDGMENT AND GRANTING DEFENDANT’S MOTION  
TO DISMISS THE ADVERSARY COMPLAINT AGAINST  
DEFENDANT DARREN ARONOW, ESQ. WITH PREJUDICE**

Upon the motion of Ashmeen Modikhan (the “Plaintiff”) dated December 18, 2023  
[ECF253] for default and for sanctions; and upon Darren Aronow’s, Esq. (the “Defendant”)  
Opposition dated December 21, 2023 [ECF257]; and upon Plaintiff’s Reply dated January 19,  
2024 [ECF277] and

Upon the motion of the Defendant dated November 13, 2023 [ECF242] to dismiss the  
Adversary Complaint and Amended Adversary Complaint against Darren Aronow, Esq. with

prejudice; and upon the Plaintiff's Opposition [ECF No. 272] [JMM] and upon the Defendant's Reply [ECF No. 284]; and after hearing upon the full record of this case; and for the reasons set forth in this Court's Memorandum Decision dated November 22, 2024 [ECF 302]; it is hereby

ORDERED, that the Plaintiff's motion for sanctions and default judgment is denied, and it is

ORDERED the Defendant's counsel Phillips, Artura & Cox pay over from its IOLA account at Chase Bank the sum of \$788.16 to the Plaintiff Ashmeen Modikhan as a partial refund of fees made to the Chapter 13 Trustee between September and October 2020 net of the Chapter 13 commissions and said payments to be made by December 16, 2024 and it is

ORDERED that the Defendant's counsel Phillips, Artura & Cox pay from its IOLA account at Chase bank the sum of \$1,435.00 to the Plaintiff Ashmeen Modikhan as a refund of the balance of legal fees paid by her to the Defendant Darren Aronow and said payment to be made by December 11, 2024, and it is

ORDERED, that the Defendant's motion for summary judgment is granted in its entirety and that all of the Plaintiff's claims against the Defendant, Darren Aronow, Esq. for malpractice are dismissed, and it is

ORDERED that this case is dismissed with prejudice.